

### REMARKS

Claims 1-4 and 6-8 stand rejected under 35 U.S.C. § 102(b) as anticipated by EP 0795397 for the reasons of record as set forth in Paper No. 4 of the Office Action mailed on June 10, 2003. This rejection is respectfully traversed for the following reasons.

Claim 5 stands rejected under 35 U.S.C. § 103(a) as being obvious over EP 0795397 for the reasons of record as set forth in Paragraph No. 6 of the Office Action mailed on June 10, 2003. This rejection is respectfully traversed for the following reasons.

Claim 9 stands rejected under 35 U.S.C. 103(a) as being unpatentable over EP 0795397 in view of Nadeau, Jr. et al. (U.S. 4,556,382) for the reasons of record as set forth in Paragraph No. 7 of the Office Action mailed on June 10, 2003. This rejection is respectfully traversed for the following reasons.

All of the above rejections are based on EP 0 795 397. In the Response to Arguments, it is held that the layered rubber compounds of Table 1 achieve the recited 90% cure at 120° C in less than 30 minutes, and the layered compounds of EP 0795397 "are substantially identical in structure or composition to the claimed ones", and would thus have the same claimed properties as those recited and evidenced in Applicants' specification.

At the thrust of this argument is the holding that EP 0 795 397 and the present application disclose substantially identical compositions. This is incorrect.

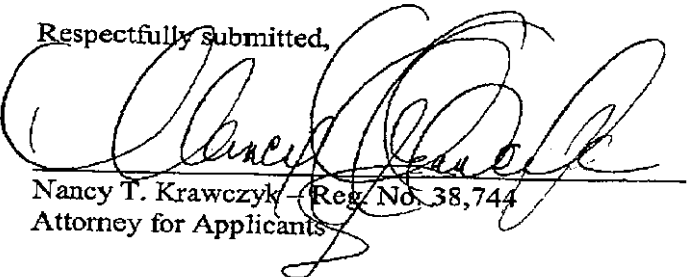
In the specification, Applicants disclose multiple inventions of the multi-layering of rubber mixes and split cure packages, including the use of some previously known split compounds for use as adhesive layers for other types of non-layered tire components. The present claims are directed to only one of the disclosed inventions, that of using the multi-layering technique to achieve a cured compound that cannot be cured by conventional manufacturing methods. These rubber compounds have ultra-fast cure packages, with a very short scorch time.

EP 0 795 397 fails to disclose the use of an ultra fast cure package, disclosing only conventional cure packages and compounds. There is no appreciation of ultra fast cure packages to be used in the non-productive layers. The compound, and more specifically the ultra fast cure package, disclosed in Table 1 of the present application is not disclosed or appreciated by EP 0 795 397.

It is requested that the position taken in regard to Applicants claimed invention be

reconsidered and the claims be indicated allowable.

Respectfully submitted,



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